

1 Introduced by the Council President at the request of the Mayor:  
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4 **ORDINANCE 2022-157**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR  
6 DISCLAIMING AN UNOPENED AND UNIMPROVED PORTION  
7 OF THE LASOTA AVENUE RIGHT-OF-WAY, ESTABLISHED  
8 IN THE CEDAR CREEK FARMS PLAT, AS RECORDED IN  
9 PLAT BOOK 3, PAGE 86 OF THE CURRENT PUBLIC  
10 RECORDS OF DUVAL COUNTY, FLORIDA, IN COUNCIL  
11 DISTRICT 14, AT THE REQUEST OF AMERICAN CLASSIC  
12 HOMES, LLC, SUBJECT TO RESERVATION UNTO JEA OF  
13 AN ALL UTILITIES, FACILITIES AND ACCESS EASEMENT  
14 OVER THE SOUTHERLY 10 FEET OF THE CLOSURE AREA;  
15 PROVIDING FOR APPROVAL SUBJECT TO CONDITIONS;  
16 PROVIDING AN EFFECTIVE DATE.  
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18 **BE IT ORDAINED** by the Council of the City of Jacksonville:

19 **Section 1. Closure and Abandonment.** An unopened and  
20 unimproved portion of the Lasota Avenue right-of-way, as recorded in  
21 Plat Book 3, Page 86 of the current public records of Duval County,  
22 Florida, located in Council District 14, a depiction and description  
23 of which is attached hereto as **Exhibit 1** and incorporated herein by  
24 this reference, is hereby closed and abandoned and/or disclaimed as  
25 a right-of-way at the request of American Classic Homes, LLC (the  
26 "Applicant"); provided however, there is reserved unto JEA an all  
27 utilities, facilities and access easement on, over, under, through  
28 and across the southerly 10 feet of the closed right-of-way area for  
29 ingress and egress and for all utilities and facilities, including  
30 but not limited to, water, sewer and electric, so as to provide JEA  
31 continued access to repair and maintain these utilities and

1 facilities. The Applicant paid the right-of-way closure application  
2 fee of \$2,091.00 and this amount has been deposited into the General  
3 Fund. This closure request was reviewed and approved by the various  
4 city, state, and utility agencies that might have an interest in the  
5 right-of-way and there were no objections to the Applicant's request.

6 **Section 2. Purpose.** The Applicant owns property adjacent  
7 to the closure area at 1368 Lake Shore Boulevard (R.E. No. 067218-  
8 0000) and is requesting the closure in order to design and construct  
9 a residential development that encompasses the Applicant's property  
10 and the closure area, subject to the conditions set forth herein.

11 **Section 3. Hold Harmless Covenant.** The closure and  
12 abandonment by the City of its interests in the right-of-way is  
13 subject to Applicant's execution and delivery to the City of a Hold  
14 Harmless Covenant, in substantially the same form attached hereto as  
15 **Exhibit 2** and incorporated herein by this reference. Accordingly,  
16 the closure and abandonment of the right-of-way shall not be recorded  
17 in the public records until execution and delivery to the City by the  
18 Applicant of the required Hold Harmless Covenant.

19 **Section 4. Effective Date.** This Ordinance shall become  
20 effective upon signature by the Mayor or upon becoming effective  
21 without the Mayor's signature.

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23 Form Approved:

24  
25  /s/ Mary E. Staffopoulos

26 Office of General Counsel

27 Legislation prepared by: Mary E. Staffopoulos

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